

REMARKS

Claim Objections

Claim 15 is cancelled.

The Claim Rejections Under 35 USC § 112, first paragraph

Claims 23, 25, and 28 are amended. Claims 26 and 29 are cancelled. The rejections are overcome or moot.

The Claim Rejections Under 35 USC § 112, second paragraph

Claims 3 and 15 are cancelled. The rejections are moot.

The Claim Rejections Under 35 USC § 102

Claims 22-25 are amended. Each of these claims requires rhenium as the group VIIB metal. The rejections over Simpson are overcome as no teaching or suggestion is present in this reference to use rhenium in the catalyst.

The Claim Rejections Under 35 USC § 103

The rejections over Bjornson in view of Sudhakar and/or Bijwaard

The catalysts of Bjornson all require the presence of zinc titanate. See column 1, lines 53-58. The catalysts of the present claims do not contain zinc titanate. Each claim uses “consisting of” or “consisting essentially of” language and each specifies that the matrix “consists of alumina,” (support in the examples and original claim 6) with the exception of claims 5 and 30, which has other options as components for the matrix, but still excludes zinc titanate by the use of the “consisting of” terminology for the components of the matrix. No teaching or suggestion is made in the Sudhakar and the Bijwaard references that would motivate one of ordinary skill in the art to exclude the zinc titanate component of the Bjornson reference.

Both the Sudhakar and the Bijwaard references teach that the catalyst disclosed therein may contain promoters such as halogen, phosphorus or boron. Even if one of ordinary skill in the art would have taken this teaching to further promote the already promoted catalyst of

Bjornson, for which applicants maintain that no motivation is present for reasons already discussed in previous replies, that artisan would not have achieved a catalyst of the present claims.

Thus, the claims are not obvious over the combination of these references.

The rejections over Simpson

Each of the rejected claims requires rhenium as the group VIIB metal. The rejections over Simpson are overcome as no teaching or suggestion is present in this reference to use rhenium in the catalyst.

Additional Comments

Claims 27 and 28 were also rejected in the Office Action; however, these claims were closely tailored to the data demonstrating unexpected results. Applicants submit that these claims are patentable for the further reasons that the results obtained were unexpected and significant.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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